

REMARKS AND ARGUMENTS

This document shall in the absence of an Authorization to Charge the fees associated with the extension of time in which to respond to the Official Office Action mailed on February 28, 2006 to Account 12-1120. The fees are \$65.00. The Commissioner is also authorized to charge any underpayment or credit any overpayment to Account 12-1120.

This amendment is submitted in response to the Official Office Action mailed February 28, 2006 in which all claims were rejected under 35 USC 103.

The specification was objected to under 37 CFR 1.71 as not describing a spot of light and a line of light.

The specification has been amended by inserting explanatory language to more fully describe the difference between of the spot of light and the line of light and how the line of light is aligned with the kerf formed by a saw blade of a rotary saw.

The drawings were objected to as failing to comply with CFR 1.81 (a). The new drawings submitted herewith are submitted at the request of the Examiner in order to further aide in the understanding of the specification and the invention. Applicant believes that the material inserted by amendment does not introduce any new matter and is properly insertable in the specification as requested.

The claims, claims 1 - 11 were rejected under 35 USC § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-11 were rejected under 35 USC 112 ¶ 2 as failing to point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant believes that the amended portion of the specification and the amendment to the claims overcome this rejections.

Claims 1 - 11 have been rejected under 35 USC 103(a) as unpatentable over Garcia (U.S. Pub. 2003/0,233,921 A1, in view of Mori (4428031) and Simms (4916579).

Garcia teaches a similar but different and distinct device. The device of Garcia teaches an illumination system which is disposed above the saw blade and which depends upon the saw blade sides to limit the marking illumination directly below and aligned with the saw blade and thereby casts a shadow on the work piece where the saw kerf is to be formed by the saw blade.

Garcia also teaches the use of two illumination unites to form the two illumination zones on both sides of the saw blade. The zones of the illumination on each side of the saw blade impinging on the work piece are interrupted by a moveable blade guard causing an interrupted line of light on each side of the saw blade with a shadow or an unilluminated area between the two lines of light.

Garcia lacks a technique or equipment to limit any light beam to a width of the saw blade and position the beam beneath the saw blade.

Applicants single illumination source and its mounting position on the frame of the saw at a point where the saw blade is not an interference permits the light to reach the workpiece uninterrupted until the blade actually engages the workpiece permitting the illumination of the saw kerf prior to cutting.

The patent to Mori is cited for a second lens. The second lens in Mori is not the type which is independently movable to provide any modification of the form of the light beam as claimed. Mori is concerned with the uniform application of illumination over a wide area, not the divergence of a spot of light into a line of light. The incorporation of the teaching of Mori would not result in the reception of a spot of light on the lens in a region which will reform the light beam from a spot to a line of light.

Accordingly the combination of the Mori teaching with that of Garcia is not suggested by the art as desirable or feasible.

Applicants Attorney does not understand the import of adding threads to the lens holder or how the addition of the threads would be obvious to make the adjustment of the second lens easier.

Applicant's Attorney requests the removal of Mori as a reference in the rejection of this claim, or alternatively to withdraw the rejection or the reference..

Garcia is further cited as not teaching the width of the line of light. Examiner states, "However, it would have been obvious to one skilled in the art to provide a light beam having a width the same as that of the saw blade for better viewing.

This modification of the Garcia reference does nothing to cause Garcia to place the light beneath the saw blade so that the kerf may be illuminated with the line of light with a width the same as the width of the saw blade and thereby provide a marker indicating the location of the kerf with the width defined by the edges of the line of light.

Claims 3-11 were rejected under 35 USC 103(a) as being unpatentable over Garcia in view of Mori and Simms and further in view of Cook (4158222).

Regarding claim 3, Examiner states that "Mori does not teach the use of a Fresnel lens with a sinusoidal surface. Cook has a Fresnel lens with a sinusoidal surface. Therefore, it would be obvious to one skilled in the art to make the Fresnel lens in Mori having a sinusoidal surface for prolonging the useful life of the lens since sharp edges in Mori's lens is easier to be broken."

Applicant's Attorney is confused as to the rejection based upon Mori's lens since Applicant's device does not have and never has had a Fresnel Lens.

Please explain and clarify so that Applicant's Attorney can respond to the statements and

arguments of substituting into the claims that which was never there.

With regard to claim 5, the Examiner asserts that the first lens of Garcia produces a spot of light and the second lens of Mori produces a light line. This is not an accurate statement since the specification of Garcia states at paragraph 0028 that the laser generators 42, 44 may comprise commercial laser generators of the type that produce a fan of light ...”

What happens when the Mori lens is substituted into the apparatus and the Garcia device already forms a light out of the light beam, that is a line of light?

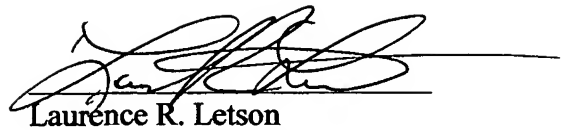
This rejection is so obtuse as to confuse the Applicant’s Attorney. Please either provide references that provide teachings that are relevant and applied to produce the effect desired or withdraw the references and rejections.

Examiner makes reference to Paragraph 0027 of Garcia. This paragraph discloses the laser generators as offset with respect to the blade and pass illumination past the sides 50, 52 of the blade. This is the antithesis of the teachings of the application and the desire of Applicant to align the laser light generator so that the spot of light is properly sized and the light line formed from the spot of light is aligned with the blade of the saw to illuminate the portion of the workpiece that will be the cut or the kerf of the saw and provide its width dimension equal to the saw blade width.

Claims 8-11 of Applicants application sets forth the spatial relationships of the container, screw and saw blade relative to the frame of the saw which allows this system to function, not a system that is the system of Garcia.

Applicant’s Attorney requests entry of this amendment and re-examination and reconsideration of the claims as amended.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read 'Laurence R. Letson', is written over a horizontal line.

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